

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION) MDL 2804
THIS DOCUMENT RELATES TO:) Case No. 1:17-MD-2804
Track Three Cases) Judge Dan Aaron Polster
) ORDER
)

On January 3, 2022, the Court held a status conference with the parties regarding the upcoming Phase II abatement proceeding, set to begin on May 10. During this conference, the Court ordered each party to submit a separate abatement plan. The Court subsequently issued an order setting the deadlines for these abatement plans for January 18 for Plaintiffs and March 18 for Defendants. Doc. #: 4220. The order stated, “Each abatement plan shall list specific elements to be addressed for abatement, as well as the cost for each.” *Id.* Plaintiffs timely submitted their abatement plan on January 18. *See* Doc. #: 4232. On March 18, Defendants filed a joint submission regarding Plaintiffs’ abatement plan. Doc. #: 4315. The Defendants’ joint submission does not comply with the Court’s clear and simple order. Plaintiffs subsequently filed a motion to compel, requesting that “the court compel that [sic] the defendants [to] comply with the court’s directive.” Doc. #: 4317 at 1.

The Court agrees with Plaintiffs. Defendants do not set forth any specific abatement elements or associated costs as they were ordered to do. Accordingly, the Court **GRANTS** Plaintiffs’ motion to compel. Defendants shall submit an abatement plan that complies with the

Court's original order by **noon on Friday, March 25**. Should Defendants fail to comply with this order, the Court will determine and impose appropriate sanctions on Defendants and their counsel.

IT IS SO ORDERED.

/s/ Dan Aaron Polster March 21, 2022

DAN AARON POLSTER

UNITED STATES DISTRICT JUDGE